

ORDINANCE
CITY OF NEW ORLEANS

CITY HALL: June 6, 2019

CALENDAR NO. 32,685

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER GISLESON PALMER

AN ORDINANCE to amend and reordain Articles 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 26 Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to incorporate certain recommendations and initiatives contained in the 2018 "Short Term Rental Study," and other modifications as recommended by the City Planning Commission, to establish revised short term rental definitions, land-use classifications and categories, permissible and prohibited locations, and other requirements relative thereto, all to apply City-wide; and otherwise to provide with respect thereto.

WHEREAS, the New Orleans City Council in 2016 passed enabling legislation to authorize Short Term Rental (STR) regulations, which became effective in April of 2017; and

WHEREAS, in 2018, it became apparent that the existing STR regulations necessitated further study and tailoring, so the City Council passed Motion M-18-194, on May 24, 2018, requesting that the City Planning Commission further study STRs and make recommendations on revising existing regulations; and

WHEREAS, the City Planning Commission held a public hearing on July 10, 2018 to solicit comments on the STR study, held another public hearing on September 25, 2018, and then

held an additional special public hearing on October 3, 2018, whereby CPC study recommendations were adopted; and

WHEREAS, these STR Study recommendations were provided to the Council on October 5, 2018; and

WHEREAS, the Council thoughtfully reviewed CPC's recommendations, ultimately referring and requesting that CPC recommend adoption of certain STR Study recommendations into the CZO via City Council Motion No. M-19-4 on January 10, 2019; and

WHEREAS, the CPC reviewed this request and offered its recommendations via **Zoning Docket Numbers 26/19 and 27/19**, as authorized by City Council Motion No. M-19-4; and

WHEREAS, the City Planning Commission held a public hearing on these zoning petitions and recommended "modified approval" of the text amendments in its report dated March 22, 2019 to the City Council, as presented in **Zoning Docket Numbers 26/19 and 27/19**; and

WHEREAS, the recommendations of the City Planning Commission were upheld, and the changes were deemed to be advisable and necessary and in the best interest of the City, being granted modified approval by the Council, as stated in Motion Numbers M-19-204 and M-19-205 of the Council of the City of New Orleans, on May 16, 2019.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That Article 7 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413
3 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and
4 is hereby amended and reordained to read as follows:
5 **"ARTICLE 7. OPEN SPACE DISTRICT**

6

* * *

7 **7.2 USES**

8

* * *

9 **Table 9-1: Permitted and Conditional Uses**

Uses	District				
	OS-N	OS-G	OS-R	NA	GPD
* * *					
COMMERCIAL USE					
* * *					
Hotel/Motel					C
* * *					
Short Term Rental, Commercial					C
* * *					

20

* * *

1 **SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
 2 **ORDAINS**, That Article 8 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413
 3 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and
 4 is hereby amended and reordained to read as follows:

5 **“ARTICLE 8. RURAL DEVELOPMENT DISTRICTS**

6

* * *

7 **8.2 USES**

8

* * *

9 **Table 8-1: Permitted and Conditional Uses**

Uses	District	
	R-RE	M-MU
* * *		
RESIDENTIAL USE		
* * *		
Bed and Breakfast – Accessory	P	P

Bed and Breakfast – Principal		P
* * *		
Short Term Rental, Large		P
Short Term Rental, Small	P	P
* * *		
COMMERCIAL USE		
* * *		
Short Term Rental, Commercial		P
* * *		

* * *

SECTION 3. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Article 9 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 9. HISTORIC CORE NEIGHBORHOODS RESIDENTIAL DISTRICTS

* * *

9.2 USES

* * *

Table 9-1: Permitted and Conditional Uses					
Uses	District				
	VCR-1	VCR-2	HMR-1	HMR-2	HMR-3
RESIDENTIAL USES					
Bed and Breakfast – Accessory			P	P	P
Bed and Breakfast – Principal			C	C	C
* * *					
Short Term Rental Large			C	C	C

Short Term Rental, Small			P	P	P
* * *					

* * *

SECTION 4. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY
ORDAINS, That Article 10 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413
M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and
is hereby amended and reordained to read as follows:

“ARTICLE 10. HISTORIC CORE NEIGHBORHOODS NON-RESIDENTIAL
DISTRICTS

* * *

10.2 USES

* * *

Table 10-1: Permitted and Conditional Uses

Uses	District									
	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU
RESIDENTIAL USE										
* * *										
Bed and Breakfast – Accessory			P					P	P	P
Bed and Breakfast – Principal			P					P	P	P
* * *										
Short Term Rental, Large			P					P	P	P
Short Term Rental, Small			P					P	P	P
COMMERCIAL USE										
* * *										
Hostel									P	
Hotel/Motel									P	C
* * *										

Short Term Rental, Commercial			P					C	P	P
* * *										

* * *

SECTION 5. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Article 11 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 11. HISTORIC URBAN NEIGHBORHOOD RESIDENTIAL DISTRICTS

* * *

11.2 USES

* * *

Table 11-1: Permitted and Conditional Uses					
Uses	District				
	HU-RS	HU-RD1	HU-RD2	HU-RM1	HU-RM2
RESIDENTIAL USE					
* * *					
Bed and Breakfast – Accessory	P	P	P	P	P
Bed and Breakfast – Principal				C	C
* * *					
Short Term Rental Large				P	P
Short Term Rental, Small	P	P	P	P	P
* * *					

* * *

SECTION 6. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Article 12 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 12. HISTORIC URBAN NEIGHBORHOODS NON-RESIDENTIAL

DISTRICTS

* * *

12.2 USES

* * *

Table 12-1: Permitted and Conditional Uses

Uses	District		
	HU-B1A	HU-B1	HU-MU
RESIDENTIAL USE			
Bed and Breakfast – Accessory	P	P	P
Bed and Breakfast - Principal	P	P	P
	* * *		
Short Term Rental, Large	P	P	P
Short Term Rental, Small	P	P	P
	* * *		
COMMERCIAL USE			
	* * *		
Short Term Rental, Commercial			P
	* * *		

* * *

Table 12-1 Footnotes

* * *

⁸ Established Multi-Family Dwellings that comply with Section 20.3.W.1 are permitted uses while those that comply with Section 20.3.W.2 are conditional uses.

12.2.B USE RESTRICTIONS

* * *

SECTION 7. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Article 13 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 13. SUBURBAN NEIGHBORHOODS RESIDENTIAL DISTRICTS

* * *

13.2 USES

* * *

Table 13-1: Permitted and Conditional Uses

Uses	District			
	S-RS	S-RD	S-RM1	S-RM2
RESIDENTIAL USE				
* * *				
Bed and Breakfast – Accessory	P	P	P	P
* * *				
Short Term Rental, Small	P	P	P	P
* * *				

Table 13-1: Permitted and Conditional Uses

Uses	District						
	S-LRS1	S-LRS2	S-LRS3	S-LDR1	S-LDR2	S-LRM1	S-LRM2
RESIDENTIAL USE							
Bed and Breakfast – Accessory	P				C	C	C
* * *							
Short Term Rental, Small	P				C	C	C
* * *							

* * *

SECTION 8. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY

ORDAINS, That Article 14 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 14. SUBURBAN NEIGHBORHOODS NON-RESIDENTIAL DISTRICTS

* * *

14.2 USES

* * *

Table 14-1: Permitted and Conditional Uses								
Uses	District							
	S-B1	S-B2	S-LB1	S-LB2	S-LC	S-LP	S-LM	S-MU
RESIDENTIAL USE								
* * *								
Bed and Breakfast – Accessory			P	P	P			C
Bed and Breakfast – Principal			P	P	P			
* * *								
Short Term Rental, Large			P	P	P			
Short Term Rental, Small			P	P	P			P
* * *								
COMMERCIAL USE								
* * *								
Hotel/Motel					C		C	
* * *								
Short Term Rental, Commercial		P		P	P		P	
* * *								

* * *

SECTION 9. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Article 15 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 15. COMMERCIAL CENTER & INSTITUTIONAL CAMPUS DISTRICTS

* * *

15.2 USES

* * *

Table 15-1: Permitted and Conditional Uses									
Uses	District								
	C-1	C-2	C-3	MU-1	MU-2	EC	MC	MS	LS
RESIDENTIAL USE									
Bed and Breakfast – Accessory				P	P	P			
Bed and Breakfast – Principal				P	P				
* * *									
Short Term Rental, Large				P	P				

Short Term Rental, Small				P	P	P			
* * *									
COMMERCIAL USE									
* * *									
Hotel/Motel	P	P	P	P	P	P	P	P	P
* * *									
Short Term Rental, Commercial	P	P	P	P	P	P	P	P	P
* * *									

* * *

SECTION 10. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Article 16 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 16. CENTERS FOR INDUSTRY

* * *

16.2 USES

* * *

Table 16-1: Permitted and Conditional Uses

Uses	District			
	LI	HI	MI	BIP
* * *				
COMMERCIAL USE				
* * *				
Hotel/Motel	P	C	P	P
* * *				
Short Term Rental, Commercial	P	C	C ₆	P
* * *				

TABLE 16-1 FOOTNOTES

* * *

22 ⁶ Commercial Short Term Rentals are only permitted in the Commercial and Recreational Sub-District in accordance
23 with Section 16.4.B.

24 * * *

1 **SECTION 11. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That Article 17 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413
3 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and
4 is hereby amended and reordained to read as follows:

5 **"ARTICLE 17. CENTRAL BUSINESS DISTRICTS**

6 * * *

7 **17.2 USES**

8 * * *

9 **Table 17-1: Permitted and Conditional Uses**

Uses	District						
	CBD-1	CBD-2	CBD-3	CBD-4	CBD-5	CBD-6	CBD-7
RESIDENTIAL USE							
Bed and Breakfast – Accessory	P	P	P		P	P	
Bed and Breakfast – Principal	P	P	P		P	P	
* * *							
Short Term Rental, Large	P	P	P		P	P	
Short Term Rental, Small	P	P	P		P	P	
* * *							
COMMERCIAL USE							
* * *							
Hotel/Motel	P	P	P	P	C	P	P
* * *							
Short Term Rental, Commercial	P	P	P	P	C	P	P
* * *							

26 * * *

1 **SECTION 12. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That Article 18 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413

M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 18. OVERLAY ZONING DISTRICTS

* * *

18.13 RIV Riverfront Design Overlay District

* * *

18.13.H RIV-3 BYWATER SUB-DISTRICT STANDARDS

* * *

18.13.H.3 USE STANDARDS AND USE RESTRICTIONS

* * *

c. Short-Term Rental Restriction

Commercial Short Term Rentals are prohibited within the RIV-3 Bywater Sub-District

* * *

18.13.I RIV-4 MARIGNY SUB-DISTRICT STANDARDS

* * *

18.13.I.3 USE STANDARDS AND USE RESTRICTIONS

* * *

c. Short-Term Rental Restriction

Commercial Short Term Rentals are prohibited within the RIV-4 Marigny Sub-District.

* * *”

SECTION 13. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Article 19 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413

3 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and
4 is hereby amended and reordained to read as follows:

5 **“ARTICLE 19. TEMPORARY PROVISIONS**

6 * * *

7 **19.4 TEMPORARY PROHIBITIONS**

8 * * *

9 **19.4.A.1.g ALGIERS RIVERFRONT INTERIM ZONING DISTRICT**

10 * * *

11 **E. Appeal Procedure**

12 Any appeal to the regulations of this IZD shall be made in accordance with the applicable
13 procedures in Article 4 of the Comprehensive Zoning Ordinance.

14 **19.4.A.2 EXPIRED**

15 * * *

1 **SECTION 14. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS,** That Article 20 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413
3 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and
4 is hereby amended and reordained to read as follows:

5 **“ARTICLE 20. USE STANDARDS**

6 * * *

7 **20.3 USE STANDARDS**

8 * * *

9 **20.3.I BED AND BREAKFAST**

10 In addition to the regulations below, all bed and breakfasts shall comply with the regulations of
11 the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.

12 **20.3.I.1 BED AND BREAKFAST ACCESSORY STANDARDS**

13 a. Proof of owner occupancy shall be established by submission of proof of a homestead
14 exemption submitted to the Department of Safety and Permits. The owner-occupant's
15 ownership interest must be at least fifty percent (50%).

16 b. The bed and breakfast shall appear outwardly to be a single-family dwelling, giving no
17 appearance of a business use other than a permitted sign.

18 c. The bed and breakfast may have one (1) attached projecting sign not to exceed four (4)
19 square feet in area. The sign shall complement the architecture of the structure.

20 d. The bed and breakfast is limited to a maximum of four (4) units for overnight
21 accommodation.

22 e. Cooking facilities are prohibited in individual guest rooms.

23 f. If meals are provided, only registered guests may be served.

24 g. Leasing of a common dining area for social events is prohibited.

25 **20.3.I.2 BED AND BREAKFAST PRINCIPAL STANDARDS**

26 a. Proof of owner or operator occupancy shall be established by submission of proof of a
27 homestead exemption (owner) or legal leasing agreement (operator) submitted to the
28 Department of Safety and Permits.

29 b. All signs shall comply with applicable sign regulations for the zoning district.

30 c. The bed and breakfast is limited to a maximum of nine (9) units for overnight
31 accommodation.

- d. Cooking facilities are prohibited in individual guest rooms.
- e. If the zoning district allows restaurants, meals may be served to guests other than those registered with the bed and breakfast, provided the facility meets all other applicable city and state codes for food service.
- f. Leasing of common areas for social events shall be allowed, provided the facility meets all applicable off-street parking requirements and complies with the noise ordinance and all other provisions of the City Code.
- g. In residential districts and HU-B1A Neighborhood Business District, HU-B1 Neighborhood Business District, HU-MU Neighborhood Mixed-Use District, S-LM Lake Area Marina District, MU-1 Medium Intensity, Mixed-Use District, and MU-2 High Intensity Mixed-Use District, only one (1) principal bed and breakfast or large residential short term rental is permitted per block-face.

* * *

20.3.LLL SHORT TERM RENTALS

20.3.LLL.1 SHORT TERM RENTALS GENERAL STANDARDS

- a. In addition to the use standards below, all short term rentals shall comply with the regulations of the Department of Safety and Permits and the Department of Finance, Bureau of Revenue.
- b. All short term rentals shall require a permit. The permit shall be prominently displayed on the front facade of the property in a location clearly visible from the street during all period of occupancy and contain the permit number, the contact information for the

owner or operator, the permit type (Partial Unit Residential, Small Residential, Large Residential, or Commercial) and the bedroom and occupancy limit.

c. Short term rentals shall not be operated outdoors, in an accessory structure, or in a recreational vehicle.

d. Only one party of guests shall be permitted per short term rental unit.

e. Short term rentals shall be considered dwelling units for density purposes and subject to the minimum lot area per dwelling unit requirement of the applicable zoning district.

f. A short term rental permit shall be secured prior to operation; and short term rental operators shall comply with all applicable permit requirements provided in the Code of the City of New Orleans.

h. Only legally permitted guest bedrooms shall be used for the purposes of calculating the maximum number of guests. The rental of kitchens, dining rooms, living rooms, offices, and other common spaces may be used as a part of the short term rental but shall not be rented as guest bedrooms. Studio apartments and dwelling units shall be considered to have one (1) guest bedroom and allowed a maximum of two (2) guests.

i. Notwithstanding anything else herein to the contrary, no Short Term Rental or Bed and Breakfast shall be permitted within the boundaries of the Garden District, which for purposes of this subsection shall be defined as follows: the center line of St. Charles Avenue, downriver side of Jackson Avenue, center line of Magazine Street, and downriver side of Delachaise Street. This provision shall not be waived.

20.3.LLL.2 SHORT TERM RENTAL, COMMERCIAL STANDARDS

74 a. The permit shall be prominently displayed on the front facade of the property in a
75 location clearly visible from the street or on the exterior of the front door of the dwelling
76 unit being rented for multi-family dwellings, during all periods of occupancy and contain
77 the permit number, the contact information for the permitted operator, the permit type
78 (Commercial) and the unit, guest bedroom and occupancy limit.

79 b. Up to five (5) guest bedrooms may be rented to guests in each unit and occupancy shall
80 be limited to two (2) guests per guest bedroom with a maximum ten (10) guests.

81 c. Commercial Short Term Rentals shall be prohibited on the first floor of a multi-story
82 structure that contains or can contain residential uses on subsequent floors, but (1) does
83 not apply to buildings that are single- or two-family dwellings; (2) does not apply to
84 single-story structures; (3) does not apply to the CBD Central Business Districts, except
85 when the structure is a new construction or a substantial improvement, EC Education
86 Campus, MC Medical Campus, LS Life Science, and M-MU Maritime Mixed Use
87 Districts, nor the MI Maritime Industrial Commercial and Recreational Subdistrict.

88 d. A Commercial Short Term Rental shall submit the following impact management plans,
89 to be reviewed by the Director of Safety and Permits, and all other relevant City agencies:

- 90 i. Noise abatement plan;
- 91 ii. A security and operation plan; and
- 92 iii. A sanitation plan.

93 e. No more than one (1) unit or twenty-five (25) percent of total units on a lot or a single
94 building constructed across lot lines, whichever is greater, shall be permitted as a
95 Commercial Short Term Rental. This cap shall not apply to the VCE Vieux Carré

Entertainment District, to structures which front on Canal Street between the Mississippi River and Rampart Street, the EC Educational Campus District, MC Medical Campus District, LS Life Science District, or the MI Maritime Industrial District Commercial and Recreational Subdistrict.

f. Any structure that contains 10 or more dwelling units that are used as short term rentals shall have a designated and permitted Operator as required by the Code of the City of New Orleans.

20.3.LLL.3 SHORT TERM RENTAL, RESIDENTIAL STANDARDS (ALL TYPES)

a. A short term rental permit shall be secured prior to operation; and short term rental operators shall comply with all applicable permit requirements provided in the Code of the City of New Orleans.

b. The short term rental shall appear outwardly to be a residential dwelling.

c. Use of the short term rental for commercial or social events shall be prohibited.

d. The short term rental shall not adversely affect the residential character of the neighborhood.

e. The short term rental shall not generate noise, vibration, glare, odors, or other effects that unreasonably interfere with any person's enjoyment of their residence.

f. No signs are allowed for a Residential Short Term Rental.

g. The permit shall be prominently displayed on the front facade of the property in a location clearly visible from the street during all period of occupancy and contain the permit number, the contact information for the owner, the permit type (Partial, Small, or Large Residential) and the bedroom and occupancy limit.

- 118 h. Proof of owner occupancy shall be established by submission of proof of a homestead
119 exemption submitted to the Department of Safety and Permits. The owner-occupant's
120 ownership interest must be at least fifty percent (50%).

121 **20.3.LLL.4 SHORT TERM RENTAL, PARTIAL-UNIT RESIDENTIAL STANDARDS**

- 122 a. Only a portion of the dwelling may be rented, which shall be limited to five (5) guest
123 bedrooms, and occupancy shall be limited to two (2) guests per bedroom or ten (10)
124 guests total. There shall be at least one bedroom for the fulltime owner-occupant.

- 125 b. No Partial-Unit Residential Short-Term Rentals shall be permitted in the area bounded by
126 the Mississippi River, Iberville Street, N. Rampart Street, and Esplanade Avenue, unless
127 specifically authorized herein. This provision shall not be waived.

128 **20.3.LLL.5 SHORT TERM RENTAL, SMALL RESIDENTIAL STANDARDS**

- 129 a. If more than one (1) principal building exists on a lot, or two (2) or more contiguous lots
130 have been historically acquired together and the second building was originally
131 constructed and has been used for habitable space, as defined by the Building Code, at
132 least five (5) years prior to the establishment of the short term rental, it may be included
133 in the operation of the short term rental.

- 134 b. Up to five (5) guest bedrooms may be rented to guests, and occupancy shall be limited to
135 two (2) guests per guest bedroom with a maximum ten (10) guests.

136 **20.3.LLL.6 SHORT TERM RENTAL, LARGE RESIDENTIAL STANDARDS**

- 137 a. If more than one (1) principal building exists on a lot, or two (2) or more contiguous lots
138 have been historically acquired together and the second building was originally
139 constructed and has been used for habitable space, as defined by the Building Code, at

140 least five (5) years prior to the establishment of the short term rental, it may be included
141 in the operation of the short term rental.

142 b. Large Residential Short Term Rentals are limited to a maximum of three (3) dwelling
143 units containing no more than six (6) total guest bedrooms. Occupancy shall be limited
144 to two (2) guests per bedroom with a maximum twelve (12) guests.

145 c. In residential districts and HU-B1A Neighborhood Business District, HU-B1
146 Neighborhood Business District, HU-MU Neighborhood Mixed-Use District, S-LM Lake
147 Area Marina District, MU-1 Medium Intensity, Mixed-Use District, and MU-2 High
148 Intensity Mixed-Use District, only one (1) principal bed and breakfast or large residential
149 short term rental is permitted per block-face.

150 * * *

1 **SECTION 15. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That Article 21 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413
3 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and
4 is hereby amended and reordained to read as follows:

5 **“ARTICLE 21. ON-SITE DEVELOPMENT STANDARDS**

6 * * *

7 **21.6 ACCESSORY STRUCTURES AND USES**

8 * * *

9 **21.6.HH WIND TURBINES: PRIVATE**

10 * * *

7. Building permit applications for wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of the installation conforms to all electrical codes.

21.7 PERMITTED ENCROACHMENTS INTO REQUIRED YARDS

* * *

21.8.C PERMITTED TEMPORARY USES

Table 21-3: Permitted Temporary Uses

Permitted Temporary Use	District	Timeframe	Hours of Operation	Temporary Use Standards
* * *				
Reviewing Stands (Temporary)	Private property within any Zoning District along Parade Routes	Carnival Season		Section 21.8.C.11
Sidewalk Uses (sidewalk cafes, A-frame signs, sidewalk displays)	Any Zoning District where the following uses are permitted: Sidewalk signage and displays - all permitted commercial uses. Sidewalk cafes - restaurants (all types), bars, and retail goods establishments that serve food	Valid one (1) year; may be renewed annually	Sidewalk signage and displays: during business hours Sidewalk cafes: no earlier than 8:00 a.m. and no later than 10:00 p.m., or 12:00 a.m. if located in a CBD District	Section 21.8.C.15
* * *				

* * *

21.8.C.13 TEMPORARY TELECOMMUNICATIONS CELL ON WHEELS (COW)

* * *

21.8.C.14 SIDEWALK USE

* * *

SECTION 16. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY
ORDAINS, That Article 22 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413
M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and
is hereby amended and reordained to read as follows:

“ARTICLE 22. OFF-STREET PARKING AND LOADING

* * *

22.4 REQUIRED OFF-STREET VEHICLE PARKING SPACES

22.4.A GENERAL REQUIREMENTS

* * *

Table 22-1: Off-Street Vehicle and Bicycle Parking Requirements

Table 22-1: Off-Street Vehicle and Bicycle Parking Requirements			
Use	Minimum Required Vehicle Spaces	Minimum Required Bicycle Spaces	
		Required Short-Term Bicycle Spaces	Percentage of Long-Term Bicycle Spaces
* * *			
Bed and Breakfast	1 per 2 guest bedrooms		
* * *			
Hotel/Motel	1 per 2 guest bedrooms	1 per 5 rooms	
* * *			
Short Term Rental, Commercial	1 space per 2 guest bedrooms	1 per 5 rooms	25%
Short Term Rental, Large Residential	1 per 2 guest bedrooms	1 per 5 rooms	25%
Short Term Rental, Partial-Unit and Small Residential	See applicable dwelling type		
* * *			

* * *

SECTION 17. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY
ORDAINS, That Article 26 of Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413

M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, be, and is hereby amended and reordained to read as follows:

“ARTICLE 26. DEFINITIONS

* * *

26.6 DEFINITIONS

* * *

Bed and Breakfast. A single-family dwelling, or other structure that has been legally converted to a single-family dwelling, that provides sleeping rooms for overnight paid occupancy. Bed and breakfast is further defined as follows:

A. Bed and Breakfast, Accessory. An owner-occupied single-family dwelling, which provides no more than five (5) guest bedrooms for overnight paid occupancy of up to thirty (30) nights. Common bathroom facilities may be provided rather than private baths for each guest bedroom.

B. Bed and Breakfast, Principal. An owner- or operator-occupied single-family dwelling that provides no more than nine (9) guest bedrooms for overnight paid occupancy of up to thirty (30) nights. Common bathroom facilities may be provided rather than private baths for each guest bedroom.

* * *

Customary Lodging Services. Guest services provided by lodging facilities including hotels/motels. Customary services include at a minimum 1) dedicated lobby space to adequately enable check-in/check-out procedures, and 2) personnel/staffing to assist guests at check-in/check-out.

25

* * *

26 **Guest Bedroom.** An enclosed room designed for, and outfitted to be used for sleeping and/or
27 lodging of guests. A guest bedroom shall not be a shared space or a space designed for or
28 outfitted to be used for any purpose other than sleeping or lodging of guests (e.g. kitchens, dining
29 rooms, living rooms, parlors, attics, offices, game rooms, or utility rooms). Only legally
30 permitted guest bedrooms shall be used for the purposes of calculating the maximum number of
31 guests a short term rental is permitted.

32

* * *

33 **Party of Guests.** An individual or group renting or seeking to rent a Short Term Rental in its
34 entirety. When occupied by a party of guests, the Short Term Rental shall not be separately
35 rented to any other individual or party of guests.

36

* * *

37 **Short Term Rental.** Short Term Rental. The use and enjoyment by guests of a Dwelling Unit,
38 or any portion thereof, for a period of less than thirty (30) consecutive days, in exchange for
39 money, commodities, fruits, services, or other performances. Hotels, motels, bed and breakfasts,
40 and other land uses explicitly defined and regulated in the CZO separately from Short-Term
41 Rentals are not considered to be Short-Term Rentals. A short term rental is further defined as
42 follows:

43 A. **Short Term Rental, Residential.** A short term rental where the owner has their
44 permanent primary residential dwelling unit onsite and is present during the guest's stay.
45 Proof of ownership shall be established by submission of proof of a homestead
46 exemption submitted to the Department of Safety and Permits. Only one type of

residential short term rental is allowed per lot, with the exception that than an owner may obtain one Partial-Unit *and* one Small Residential Short Term Rental Permits on the same lot.

- **Partial-Unit Residential Short Term Rental.** Rental of a portion of an owner-occupied dwelling unit with a principal use as a permanent dwelling unit with no more than five (5) guest bedrooms and ten (10) total guests, for overnight paid occupancy as an accessory use.

- **Small Residential Short Term Rental.** An owner-occupied lot with no more than four (4) dwelling units where one (1) unit is the owner's permanent residential dwelling unit and where only one (1) dwelling unit per lot is rented with no more than five (5) guest bedrooms and ten (10) total guests for overnight paid occupancy as an accessory use.

- **Large Residential Short Term Rental.** An owner-occupied residential structure that provides rental of up to three (3) dwelling units for paid occupancy, with no more than six (6) guest bedrooms total.

B. **Short Term Rental, Commercial.** An establishment providing rental of one (1) or more dwelling units for overnight paid occupancy. Each dwelling unit is limited to five (5) guest bedrooms and no more than ten (10) occupants.

* * *"

1 **SECTION 18.** If any provision or item in this Ordinance, or the application thereof, is
2 held invalid, such invalidity shall not affect other provisions, items, or applications of this
3 Ordinance that can be given effect without the invalid provisions, items, or applications, and to
4 this end the provisions of this Ordinance are hereby declared severable.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:

DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED: